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INSTRUCTIONS

FOR THE

GOVERNOR-GENERAL

AND

COUNCIL of BENGAL,

AND FOR THE

COUNCIL of COMMERCE;

With DIRECTIONS for the INSTITUTION of a

BOARD of EXCHEQUER:

DRAWN

By the COMMITTEE of PROPRIETORS of the United Company of Merchants of *England*, Trading to the East-Indies, appointed for such Purpose.

Preamble. AN Act having been paſſed in the laſt Seſſions of Parliament, entitled "*An Act for eſtabliſhing* "*certain Regulations for the better Management of the* "*Affairs of the* East-India Company, *as well in* India "*as in* Europe." In conſequence of the ſaid Act, which we now tranſmit to you for your Guidance, we proceed to give you the Orders hereinafter contained,

and

and have alſo annexed Copies of ſuch other Orders as we have framed for conſtituting a Council of Commerce, and a Board of Exchequer, for the better Management of our Affairs, to all which you will pay due Obedience.

I.

Order of Proceeding; and Regulations of the Correſpondence with the CountryPowers.

AND Firſt, we direct, that you aſſemble in Council once in every Week at leaſt; and that all the Members ſhall be duly ſummoned; that the Correſpondence with the Princes, or Country Powers in India, except what relates to the Department of Commerce, ſhall be carried on by the Governor-General only; but that all Letters to be ſent by him, be firſt approved in Council, and that he lay before the Council, at their next meeting, all Letters received by him in the courſe of ſuch Correſpondence.

II.

Communication to the Council of Commerce, with reſpect to the Country Correſpondence.

AND whereas, by Virtue, and in purſuance of the Power reſerved to the ſaid Company, by a Proviſo contained in the ſaid Act of Parliament, we have conſtituted and appointed Samuel Middleton, William Alderſey, John Reed, Philip Milner Dacres, Thomas Lane, James Lawrell, Henry Goodwin, John Graham, William Lambert, George Vanſittart, and Nicholas Grueber, being our Eleven Senior Civil Servants, not Members of the New Council, eſtabliſhed by the ſaid Act of Parliament, to be a Council of Commerce for managing, conducting, and tranſacting the Trade and Commerce of the Company in our ſaid Preſidency, we recommend it to you to preſerve, on all Occaſions, the ſtricteſt Harmony with our ſaid Council of Commerce. And we direct you forthwith to communicate to them Copies of all ſuch Parts of the Country Correſpondence, ſo to be carried on by the Governor General, as any way relate to the Buſineſs of the Department of Commerce.

III. In

III.

In all Treaties with the Indian Powers, or Conventions with European Nations, whereby our Commerce may be affected, we direct, that, before any ſuch Articles ſhall be agreed to by you, you take the Opinion of our Council of Commerce in Writing thereon.

The Council of Commerce to give their Opinion with reſpect to Treaties.

IV.

We have committed to our Council of Commerce, the Management of the Company's Shipping, as well as of all other Matters concerning our Trade. But, as it may be neceſſary on particular Emergencies, that ſome of the Company's Ships ſhould be employed in Military Service, or otherwiſe, for the Security and Protection of our Settlements in India; we direct you, in ſuch Caſes, to make Requiſition to our Council of Commerce in Writing, ſpecifying the number of Ships wanted, and for what kind of Service; with which Requiſition they have our Orders, as ſoon as may be, to comply.

The Council of Commerce, on Requiſition to ſupply Ships for Military ſervice.

V.

As it has frequently happened, in our Intercourſe with the Native Manufacturers of Bengal, that, by Reaſon of the Advances made to them at the beginning, they have been largely indebted to us at the Cloſe of the Seaſon, it is our expreſs direction, that you afford effectual Aſſiſtance to our Council of Commerce, for obtaining full Payment of all outſtanding Debts, due from the Natives of Bengal to the Company, upon Application made, by them, to you for that Purpoſe; and that you give our Trade, and the Servants employed in that Department, every Aſſiſtance conſiſtent with the Rules of Juſtice.

Aſſiſtance to be given to the Council of Commerce with reſpect to outſtanding Debts.

VI. Whereas

VI.

Profecutions to be commenced againſt our Board of Exchequer for Miſdemeanors in their Office.

WHEREAS we have thought it proper to conſtitute a Board of Exchequer, for the Purpoſe of receiving, keeping, and iſſuing the Caſh of the Company, under your Orders, as to ſuch Part as ariſes from the Territorial Acquiſitions and Revenues, and under the Orders of our Council of Commerce, as to ſuch Part as ariſes from our Trade and Commerce; and have conſtituted and appointed the Preſident of our Council of Commerce, and the Two next in Seniority of our Civil Servants, not being Members of the ſaid Council, to be our Board of Exchequer; and whereas we have ordered, that our Preſident, and each of the Members of our Board of Exchequer, ſhall enter into Bonds, to the United Company, for the due and faithful Diſcharge of their ſaid Offices, which Bonds are to be lodged with you; and have alſo directed that the Caſh in each Department of the Exchequer, ſhall be viewed Monthly, by One Perſon deputed from you, and alſo by one deputed from our Council of Commerce, and compared with the Balance of the Caſh Account; it is our Order, that, if upon any ſuch Monthly Inſpection, you ſhould find the Balance or Caſh deficient, or diſcover any Fraud in the Caſh Account; or, if at any Time any Embezzlement of our Money in their Hands, or any other Breach of Truſt, or Fraud againſt the Company, ſhall come to your Knowledge, you ſhall not only immediately cauſe the ſaid Bonds to be put in Suit, againſt any Member or Members of the Board of Exchequer ſo offending, but alſo cauſe ſuch Offender or Offenders to be proſecuted in the ſupreme Court of Judicature, to be eſtabliſhed under the ſaid Act of Parliament, in order to have him or them diſmiſſed from our Service, purſuant to the power veſted in that Court by the ſaid Act.

VII.

Money to be paid into the Exchequer.

IT is our Order, that you pay, or cauſe to be paid over to our ſaid Board of Exchequer, or ſome Perſon or Perſons authorized by them to receive the ſame, all the Money which ſhall be found in our Treaſury, on the Arrival of theſe Inſtructions; one half thereof to be under the Diſpoſal of the Governor General and Council, and the other half under that of our Council of Commerce,

merce, for the immediate Currency of each Department, to be iſſued under Warrants, from them reſpectively, in the Manner hereinafter directed; and we further direct you to pay, or cauſe to be paid over to our ſaid Board of Exchequer, or ſome Perſon or Perſons authorized by them to receive the ſame, all Money which ſhall afterwards come into your Hands, or the Hands of thoſe appointed under you, ariſing from the Territorial Acquiſitions and Revenues, or otherwiſe, in your Department, as ſoon as poſſible after you or they ſhall have received the ſame. And that, in no Caſe, you apply any of our Money to any Purpoſe whatſoever, without firſt paying the ſame over to our Board of Exchequer, or ſome Perſon or Perſons authorized by them to receive it.

VIII.

Iſſue of Money from the Exchequer.

THAT, for all ſuch Sums as you ſhall judge neceſſary for the Support of the Government, Civil or Military, of our ſaid Preſidency, for the Payment of Salaries, appointed by the ſaid Act of Parliament, or otherwiſe, and for all other Diſburſements in your Department, you ſhall iſſue Warrants to the Board of Exchequer, ſigned by the Governor-General and the Members of the Council who ſhall be preſent when ſuch Sums are deemed neceſſary; and that all ſuch Warrants ſhall ſpecify the Perſons to whom the Sums expreſſed therein are to be paid, and the Purpoſes to which the ſame are to be applied reſpectively, which Warrants, we have directed our Board of Exchequer, to pay Obedience to, as far as the Money in their Hands, paid in by you, or under your Orders, will anſwer the ſame.

IX.

Money to be iſſued on the Requiſition of the Board of Commerce.

HAVING directed our Council of Commerce, in all Caſes where more Money ſhall be wanted, for the Purpoſes of our Trade or Inveſtments, than remains in our Exchequer, of what was paid in by them or under their Order, to make Requiſition under their Hands to you, for ſuch Sums as ſhall be ſo wanted, ſpecifying the Sums and the Purpoſes to which they are to be applied, it is our Order, that you forthwith comply with ſuch Requiſitions as

ſhall be ſo made to you, and iſſue Warrants payable to them, as far as the Surplus, then in our Exchequer of Money, ariſing from the Revenues or otherwiſe in your Department, over and above the neceſſary Diſburſements of Government will anſwer the ſame.

X.

Audit of Accounts.

It is our Pleaſure, that the Accounts of all Money, received and iſſued by our Exchequer, ſhall be audited and paſſed quarterly, both by you and by our Council of Commerce; in order for their being tranſmitted to us for our final Determination. We have, therefore, directed our Board of Exchequer to prepare ſeparate Accounts of the Money received and iſſued in each Department; and quarterly to lay before you the Accounts reſpecting your Department, and before the Council of Commerce the Accounts reſpecting their's. And we direct you, as ſoon as you ſhall have carefully examined and paſſed the Accounts in your Department, to lay the ſame before the Council of Commerce; and, when the Accounts in the Department of the Council of Commerce are laid before you, you ſhall examine them, and paſs them if you find them right; but, if you find any juſt or material Cauſe of Objection, you ſhall refuſe to paſs the ſame, till they are cleared up to your Satisfaction; and, in all Caſes of ſuch Refuſal, you ſhall communicate the ſame with the Reaſons thereof to us.

XI.

Power of borrowing Money.

And, whereas the Power of borrowing Money, on the Company's Account, is an extraordinary Power, the Exerciſe of which, without proper Checks, is liable to great Abuſe, and highly dangerous to the Intereſts of the Company; and whereas the Revenues of Bengal, Bahar, and Oriſſa, if managed with proper Œconomy, are, on all ordinary Occaſions, much more than ſufficient to defray all the Expences of the Government, Civil and Military, as well as to furniſh proper Inveſtments for the Company's Trade, and yet, ſome ſudden Emergencies may poſſibly ariſe, wherein it may be neceſſary, for the Safety of our Settlements, or Proſperity of our Trade,

Trade, to procure a Loan; we, therefore, empower you, in ſuch extraordinary Caſes only, to give Orders in Writing, under your Hands, to our Board of Exchequer, to iſſue Notes or Bonds, under the Company's Seal, for the Sums ſo wanted, with the Conſent of our Council of Commerce, but not otherwiſe: which Conſent ſhall be ſignified from them by counterſigning your Order. And we further direct, that all ſuch Notes or Bonds, ſo to be iſſued by our Board of Exchequer, ſhall, to render them valid, be firſt ſigned by your Secretary, and the Secretary to the Council of Commerce, under the Order of their reſpective Boards.

XII.

Depoſit of Bonds and Notes in the Exchequer, and Payment of Intereſt thereon.

We have directed, that all the Books and Papers, relative to our Bond-Debt, and Intereſt Notes, ſhall be in the Cuſtody of our Board of Exchequer; and that the Adjuſtment of all Accounts upon our Bonds, and Intereſt Notes, ſhall be made up by them, and laid before you, and alſo before the Council of Commerce; and that the Money to be paid for Intereſt on the ſaid Bonds, or Notes, ſhall be iſſued under Warrants from you, counterſigned and approved by the Council of Commerce. And, as the Reduction of our Debt by Bonds, or Intereſt Notes in Bengal, is of the utmoſt Conſequence to our Proſperity, we recommend it to you, to pay every Degree of Attention to this Object, conſiſtent with the Requiſitions which ſhall be made to you, by our Council of Commerce, for the Purpoſes of our Trade and Inveſtments.

Reduction of Debts on Bonds, or Notes, recommended.

XIII.

Bills, or Requiſitions for Money, drawn on, or made to, the Preſidency of Bengal from other Preſidencies, ſhall not be accepted till laid before the Council of Commerce.

We direct, that all Bills drawn from our other Preſidencies, or Requiſitions for Money, on our Preſidency of Bengal, ſhall, before Acceptance of ſuch Bills, or Compliance with ſuch Requiſitions, be laid before the Council of Commerce, who are to deliver their Sentiments in Writing thereon to you, with whom, nevertheleſs, the final Determination ſhall reſt.

XIV. All

XIV.

Certificates to Captains, &c. and Bills on the Directors.

ALL Certificates to Captains or Officers of Ships, or Bills on the Court of Directors, are to be given by our Council of Commerce.

XV.

Books of Accounts of the Collection and Management of the Revenues, and of the Diſburſements, to lie open eight Days quarterly, for the Examination of the Council of Commerce.

As our Inveſtments muſt, in a great Degree, depend on the proper Collection and Management of our Revenues, and the juſt and regular Diſburſement of theſe Revenues in the different Branches of our Government, We direct, that four Times in every Year, on the firſt Days of April, July, October, and January reſpectively, all Books of Accounts, or Books reſpecting the Collection, and Management of the Revenues, the Diſburſements on Fortifications, or any Department of Government, Civil or Military, under you, ſhall be depoſited in your Office, with ſome proper Perſon or Perſons to attend the ſame; and ſhall there, for eight Days at each Time, lie open to the Inſpection and Examination of the Preſident, or any of the Members of our Council of Commerce; who may, alſo, require an Explanation in Writing of any Matters which may appear doubtful, or obſcure.

XVI.

Books of the Council of Commerce to lie open eight Days quarterly, for the Examination of the Governor-General and Council.

AND having in like Manner directed, That all the Books, Correſpondence, Accounts, and Proceedings of the Council of Commerce, except ſuch Books as ſhall contain Obſervations on your Conduct, or that of the Chief Juſtice or Judges, which Books we have directed them to keep ſeparate for our Information only, ſhall be depoſited in their Office on the firſt Days of March, June, September, and December, and ſhall there lie open to the Inſpection of the Governor-General, or any of the Members of your Board; and that you may in like Manner alſo require an Explanation in Writing of any Matters therein, We direct you diligently to inſpect the ſame; and that you communicate to us ſuch Obſervations as may occur to

you

cumſpection; and We further direct, that all ſuch charges made before you, againſt any of our Servants in your department, with all proceedings thereon, be regularly entered upon your Conſultations, and with them tranſmitted to us.

XXI.

As it hath frequently happened, in our intercourſe with the native Manufacturers of Bengal, that by Reaſon of advances made to them at the beginning, they have been largely indebted to us at the cloſe of the Seaſon, it is our expreſs Direction, that you afford effectual Aſſiſtance to our Board of Trade, for obtaining full payment of all outſtanding debts, due from the Natives of Bengal to the Company, upon application made by our Board of Trade to you for that purpoſe.

Aſſiſtance to be given to Board of Trade for recovering Debts due to the Company.

XXII.

And as the Agents of Foreign Companies, Free Merchants, and others, may greatly embarraſs our Board of Trade in the Proviſion of our Inveſtments, by obtaining from the Company's Manufacturers the Goods manufactured by Means of our Advances; we direct, that you forthwith form ſuch Regulations, as ſhall effectually guard our property againſt attempts of this nature.

Agents of foreign Companies, free Merchants and others, to be prevented from embarraſſing the Board of Trade.

XXIII.

We direct, that ſo ſoon as poſſible after the arrival of theſe our Orders and Inſtructions at Fort William, you ſummon Samuel Middleton, William Alderſey, John Reed, Philip Milner Dacres, Thomas Lane, James Lawrell, Henry Goodwin, John Graham, William Lambert, George Vanſittart, and Nicholas Grueber, being our Eleven Senior Civil Servants, to aſſemble within Thirty Days at Calcutta; and that you deliver to them an authenticated Copy of theſe our Inſtructions; and it is our Order, that our ſaid Servants, immediately upon receipt of ſuch Copy, do forthwith proceed to carry into Execution, ſuch Parts as any ways relate to the Eſtabliſhment or Conduct of a Board of Trade in Bengal.

Eleven Senior Servants to be ſummoned to Calcutta; and Copy of Inſtructions to be deliver'd to them.

XXIV.

Governor General and Council to give Aſſiſtance to the Board of Trade.

HAVING thus communicated to you our Ideas on the ſubject of the Company's Inveſtments, under the direction of a Board of Trade, we moſt earneſtly recommend, that you cordially unite with our Servants in that Department, and that you afford them every Aſſiſtance in your Power, in order to enable them to anſwer the eſſential Purpoſes intended by their Appointment.

XXV.

Europeans not to exerciſe any Office in the Company's Service, unleſs authoriſed by the Court of Directors.

As we have never permitted our Governor and Council, or our Select Committee in Bengal, to admit Europeans into our Service, unleſs by the Appointment of the Court of Directors; nor to licenſe Free Merchants, Free Mariners, or others to reſide in India; we expreſsly direct, that you do not, on any account, or under any pretence whatſoever, ſuffer any European to hold any Poſt, or to exerciſe any Office in our Service, Civil or Military, who ſhall not have been appointed, or admitted into the Company's Service, by the expreſs Authority of the Court of Directors.

XXVI.

Copies of ſuch Parts of Letters or Advices as are to be deliver'd to the Lords of the Treaſury, or Secretary of State, are to be tranſmitted to the Court of Directors by every Ship.

You will obſerve, that by the before-mentioned Act, you are required to correſpond with the Court of Directors, from time to time, and conſtantly and diligently to tranſmit to them exact Particulars of all Advices or Intelligence, and of all Tranſactions and Matters that ſhall come to your Knowledge, relating to the Government, Commerce, Revenues, or Intereſt of the Company; and that the Court of Directors are required, within Fourteen Days after the Receipt of any ſuch Letters or Advices, to deliver in to the Lords of the Treaſury, a Copy of ſuch Parts of the ſaid Letters or Advices, as ſhall any way relate to the Management of the Company's Revenues; and in like manner, to deliver in to one of His Majeſty's Principal Secretaries of State, a Copy of all ſuch Parts of the ſaid Letters and Advices, as ſhall any way relate to their Civil and Military Affairs, and Government: In order, therefore,

therefore, to enable us to comply with the Directions of the ſaid Act, We hereby order and direct, that you tranſmit to us, by every Ship, an exact Copy, and a Duplicate by the next Conveyance, of all ſuch Parts of your Letters and Advices, as are by this Law directed to be delivered to the Lords of the Treaſury, and to His Majeſty's Secretary of State reſpectively; and that every Copy and Duplicate be authenticated under the Hands of the Governor-General and Council.

XXVII.

Intelligence reſpecting foreign Companies to be communicated.

In your Correſpondence with the Court of Directors, it is our Order, That the moſt regular and preciſe Intelligence be from time to time communicated, reſpecting the Commerce, the number of Forces, and the general Strength of all foreign Companies in India; and ſuch Intelligence muſt, ſo far as it is practicable, be continued by every Britiſh Ship which ſhall ſail for Europe.

XXVIII.

Military Expenſes to be enquired into and ſuperfluous Charges retrenched.

Our Military Expenſes at Bengal having increaſed to a degree which is become inſupportable to us, We in an eſpecial manner enjoin you to make ſtrict enquiry into the Cauſes of ſuch increaſe, and particularly into the number of Laſcars, Draught Bullocks, and Boats kept for the uſe of the Army; into Contracts for ſupplying the Troops with Proviſions, and into all contingent Charges; and we direct, that you forthwith retrench every ſuperfluous Charge, and reduce every incidental Expenſe to the loweſt Sum poſſible.

XXIX.

Annual Expenſe of publick Buildings reſtricted to One Hundred Thouſand Pounds Sterling, and Ac-

Having found it neceſſary to limit expreſsly the Charges of erecting, repairing, or compleating Fortifications, Barracks, and all other Publick Buildings in Bengal and its Dependencies, to the annual Sum of One Hundred Thouſand Pounds Sterling, and having given Orders to our Governor

Accounts of Expenditure to be ſent to the Court of Directors.

Governor and Council to that Purpoſe; we hereby confirm our ſaid Orders, and direct, that you, on no account or pretence whatever, permit more than the ſaid Sum to be annually expended on the above-mentioned Services; and that the keeping of our Fortifications and Public Works in a defenſible ſtate and condition, be firſt conſidered in the Expenditure thereof, until a further reduction can take place; and that a very exact and particular account of ſuch Expenditure be tranſmitted to us by every opportunity, with your Sentiments and Obſervations minutely on the State of the ſaid Works and Fortifications.

XXX.

Orders relative to the Supreme Court of Judicature; and to the Fees of the Clerks and Miniſterial Officers.

As in purſuance of the Act of Parliament, a Supreme Court of Judicature, conſiſting of a Chief Juſtice and Three other Judges, is intended to be erected at Fort William in Bengal, to exerciſe and perform all Civil, Criminal, Admiralty, and Eccleſiaſtical Juriſdiction at the ſaid Preſidency; we direct, that upon the eſtabliſhment of ſuch Court, you give all neceſſary Aſſiſtance to the Judges; that you provide a Court-Houſe, and proper Offices for ſuch Clerks and Miniſterial Officers as ſhall be appointed by them; and when the Fees to be payable to the Officers of the Supreme Court are fixed, we direct, that you cauſe Tables thereof to be hung up in the moſt publick Places, in the different Languages of the Country; that no Perſon take more than ſuch Fees, upon pain of being diſmiſſed; and you will take into conſideration, the amount of thoſe Fees, in approving the Salaries of the reſpective Officers; and you are to tranſmit to us, ſo ſoon as poſſible, a particular account of ſuch Salaries and Fees.

XXXI.

Salaries to be paid to the Governor General and Council; and to the Judges, and Officers of the Court of Judicature.

We direct, that you duly pay to the Governor-General, to each of the Council, to the Chief Juſtice, and to each of the Judges, the ſeveral Salaries eſtabliſhed by the ſaid Act; obſerving at the ſame time, that thoſe ample Salaries given to them by Parliament, are to be in lieu of all Fees of Office, Perquiſites, Emoluments, or Advantages whatſoever, and therefore that we are not to be at any further expenſe on their Account; and as the Officers

of

thereof ſhall be hung up in the moſt publick Places, in the different Languages of the Country.

XXVI.

Proceſs of the Courts of Law to be executed by Civil Officers only, except in Caſes of Neceſſity.

It is our Deſire, that the Civil Proceſs of the Courts ſhall be executed by Civil Officers only; but, in ſuch Caſes as ſhall demand the Aid of a Military Force, Requiſition ſhall be made by the Civil Magiſtrate to the Commanding Officer, who is hereby directed to give the neceſſary Aſſiſtance.

XXVII.

Regulations to be made for the remedying Oppreſſions.

That you immediately cauſe the ſtricteſt Enquiry to be made into all Oppreſſions, that may have been committed, either againſt the Natives or Europeans, and all Abuſes that may have prevailed in the Collection of the Revenues, or any Part of the Civil Government of the Preſidency; and that you, as ſoon as poſſible, form ſuch Regulations as ſhall ſeem moſt effectual for the Remedy thereof, and for regulating the Police of the Country; paying the greateſt Attention therein to the Protection and Welfare of the Natives and European Subjects, as well as to the Intereſt of the Company.

XXVIII.

Departments of the Servants of the Out-Factories diſtinguiſhed.

Whereas much Confuſion has ariſen, from mixing the Juriſdiction of our Civil and Military Servants, at the Out-Factories, It is our Intention to diſtinguiſh their ſeveral Lines of Duty, in an accurate Manner. The ſenior Servant, and his Aſſiſtants, in the Department of Trade, are to have the Diſpoſal of all Houſes, and the ordering of all Perſons, neceſſary for the Purpoſes of their Employment. The Revenue Officers are next to be ſupplied; and the eldeſt Military Officer is to have the Charge of the Barracks, and the Keys and Defence of any Fort, Town, or Garriſon, with the full Command over the Military; and, in Caſes where the Aſſiſtance of the Military ſhall

be wanting, either in the Department of Revenue or Trade, Requiſition ſhall be made, by the principal Servant reſident there, in each Department, reſpectively, to the Commanding Officer in Writing; who is required to give the neceſſary Aſſiſtance.

XXIX.

Chief Military Command, in caſe of Vacancy, to veſt in the eldeſt Officer.

It is our Order, that, at all Times, when there ſhall be no Commander in Chief of our Military Forces in Bengal, nominated by Authority of the Company, in whom alone the Power of ſuch Nomination reſides; or where there ſhall happen a Vacancy in ſuch Office, after ſuch Nomination, the Command of our Military Forces ſhall be veſted in the eldeſt Officer, in the Military Service of the Company in Bengal, till our further Pleaſure is known.

XXX.

All ſuperfluous Military Expences to be retrenched.

Our Military Expences at Bengal having encreaſed to a Degree which is become burthenſome to us, We in a Special Manner enjoin you, to make ſtrict Enquiry into the Cauſes of ſuch Encreaſe; and particularly, into the Number of Laſcars, Draught-Bullocks, and Boats, kept for the Uſe of the Army, which, in Time of Peace, appears to us to be an unneceſſary and improper Expence;—into Contracts for ſupplying the Troops with Proviſions;—and into all contingent Charges; and we direct, that you forthwith retrench every ſuperfluous Charge, and reduce every incidental Expence, to the loweſt Sum poſſible.

XXXI.

Frugality recommended in Fortifications; and an Account of the Expence

Having found it neceſſary to limit expreſsly the Charges of erecting, repairing, or compleating Fortifications, Barracks, and all other public Buildings, in Bengal, and its Dependencies, to the annual Sum of One Hundred Thouſand Pounds Sterling, and having given Orders to our Governor and Council

Council to that Purpoſe, We hereby confirm our ſaid Orders; and direct, that you, on no Account or Pretence whatſoever, permit more than the ſaid Sum to be annually expended on the above-mentioned Services; and that the keeping of our Fortifications, and public Works in a defenſible State, and Condition, be firſt conſidered in the Expenditure thereof, until a farther Reduction can take place; and, that a very exact and particular Account of ſuch Expenditure be tranſmitted to us, by every Opportunity, with your Sentiments and Obſervations, minutely, on the State of the ſaid Works, and Fortifications.

and State of the Works to be ſent to the Directors.

XXXII.

We direct, that all Buſineſs which can be conveniently performed by Contract ſhall be ſo performed: And that all Contracts, with the Conditions, ſhall be publicly advertiſed; and ſealed Propoſals received for the ſame, which ſhall be opened in Council, and the Preference given to the loweſt Bidder, provided he offer ſufficient Security for the Performance thereof; and that all Propoſals, together with all the Proceedings thereon, be entered in a Book, kept apart for that Purpoſe, and regularly tranſmitted to us.

Matters of Contract to be advertiſed for.

XXXIII.

It is our expreſs Direction, that you not only ſtrictly attend to the ſtanding Orders of the Company, communicated to their Preſidency of Fort-William, but to all ſuch Orders, and Inſtructions, as the Court of Directors have heretofore tranſmitted to the Governor and Council, or Select Committee of the ſaid Preſidency; and, in an eſpecial Manner, to thoſe, which any Way relate to forming proper Statements of our Revenues; and if any of our Orders remain unexecuted, you are to take Care, that the ſame be carried into Execution, in every Inſtance, wherein they have not been annulled by the before-mentioned Act of Parliament, or ſuperſeded by our preſent Orders and Inſtructions.

Due Regard to be paid to former Orders of Directions.

XXXIV. In

XXXIV.

Exact Minutes of Council to be kept; and Diſſents to be entered; and Copies of them, together with thoſe of all Letters, to be ſent to the Directors.

In tranſacting the Buſineſs of your Department, it is our Order, that you enter, with the utmoſt Perſpicuity and Exactneſs, upon Conſultations or Minutes of Council, all your Proceedings whatſoever; and all Diſſents, if ſuch ſhould at any Time be made, by any Member of your Board, together with all Letters received, and ſent in the Courſe of your Correſpondence; and that broken Sets of all ſuch Proceedings, to the lateſt Period poſſible, be tranſmitted to us by every Ship; a compleat Set, at the End of every Year, and a Duplicate by the next Conveyance.

INSTRUCTIONS to the COUNCIL of COMMERCE, including alſo DIRECTIONS for the INSTITUTION of a BOARD of EXCHEQUER.

WHEREAS, by an Act of Parliament, entitled "*An Act for eſtabliſhing certain Regulations for* "*the better Management of the Affairs of the* East India "*Company, as well in* India *as in* Europe," the whole civil and military Government of the Preſidency of *Fort-William* in *Bengal*, and alſo "the Ordering, "Management, and Government of all the Territorial "Acquiſitions, and Revenues in the Kingdoms of *Ben-*"*gal*, *Bahar*, and *Oriſſa*," are veſted, for five Years, in a Governor General and Four Counſellors, nominated in the ſaid Act, and not removable by us. Preamble.

And whereas, by a Proviſo in the ſaid Act, there is reſerved to the United Company "the Power of con-"ſtituting, and appointing ſuch Officers, Factors, or "Agents, as they ſhould think proper, and neceſſary for "managing, conducting, and tranſacting the Trade and "Commerce of the ſaid Company, at and within the "ſaid Preſidency of *Fort-William*, in *Bengal*."

WE, the Court of Directors of the ſaid United Company, by Virtue of the ſaid Proviſo, and in purſuance of the Power reſerved therein, have thought it proper and neceſſary to conſtitute and appoint, and we do hereby Inſtitution of the Council of Commerce.

hereby conſtitute and appoint, you the ſaid *Samuel Middleton*, *William Alderſey*, *John Reed*, *Philip Milner Dacres*, *Thomas Lane*, *James Lawrell*, *Henry Goodwin*, *John Graham*, *William Lambert*, *George Vanſittart*, and *Nicholas Grueber*, being our Eleven Senior Civil Servants in *Bengal*, not Members of the Council eſtabliſhed by the ſaid Act, to be a Council of Commerce, for managing, conducting, and tranſacting the Trade and Commerce of the ſaid Company, at and within the ſaid Preſidency of *Fort-William* in *Bengal*.

I.

Order to aſſemble and act.

WE direct as many of you as ſhall be at Calcutta, when theſe Inſtructions ſhall come to your Hands, to aſſemble within Ten Days; and to give Notice of this Appointment, to ſuch of your Members in this Nomination as ſhall be abſent from Calcutta, requiring them to attend: And we farther direct, that you take upon you the Management and Conduct of all Matters reſpecting the European Shipping, Commerce, and Inveſtments of the ſaid Company, ſubject only to our Orders.

II.

Nomination of the Preſident.

AND we hereby conſtitute and appoint Samuel Middleton the firſt Preſident of our ſaid Council of Commerce, if he ſhall be in Bengal at the Time of the Arrival of theſe our Inſtructions; and in caſe the ſaid Samuel Middleton, before ſuch Arrival, ſhall be dead, or have left Bengal, or ſhall decline ſuch Appointment, we conſtitute and appoint the next in Seniority of the ſaid recited Perſons, who ſhall accept of ſuch Appointment, the firſt Preſident of our ſaid Council; and in caſe of all future Vacancies by Death, Removal,

Removal, or otherwiſe, we direct, that the Senior Member of the Board ſhall ſucceed, and become Preſident, till our farther Pleaſure be known therein.

III.

Supplying Vacancies at the Board.

In like Manner, we direct, that in caſe of all future Vacancies in the Board, the next in Seniority of the Civil Servants of the Company ſhall ſucceed, till our Pleaſure be known.

IV.

The Preſident, and Members of the Board, not to be diſmiſſed, without Sentence of the Supreme Court of Judicature; nor Members ſuſpended, but by a Vote of the Board.

That neither the Prefident, nor any Member of the Board, ſhall be diſmiſſed, except in Conſequence of the Sentence of the Supreme Court of Judicature, which is to be eſtabliſhed under the ſaid Act of Parliament, or by our Order, ſigned to you in Writing; nor ſhall any Member of the Board be ſuſpended, but by a Vote of the Board, at which, not leſs than Six Members ſhall be preſent; and in which Vote at leaſt two thirds ſhall concur. But this Power of Suſpenſion in the Board ſhall in no Caſe extend to the Preſident; who is not to be removed from his Office, but by the Sentence of the Supreme Court, or our Order in Writing.

V.

Salary ſtopped in Caſe of Suſpenſion.

That in all Caſes of Suſpenſion, the Place ſhall be filled by the next in Seniority, till our Pleaſure be known; and, in the mean Time, the Salary of the Perſon ſuſpended ſhall be ſtopped, from the Day of ſuch Suſpenſion, but ſhall afterwards be paid by him, if it ſhall be our Pleaſure to reſtore him; or, if otherwiſe, it ſhall be paid to the Perſon who ſhall have ſucceeded to his Place as aforeſaid, who in the mean Time is to enjoy the Benefit of his former Station.

VI. That

VI.

Salaries of the Preſident and Members of the Board.

THAT the Preſident ſhall have a Salary of Three Thouſand Pounds per Annum, and each of the other Members Two Thouſand Pounds, by quarterly Payments; which Sums are to be in lieu of Commiſſion upon the Revenues, and in full for Diet-Money and every other Emolument; except ſuch Advantages as may ariſe to any of the Members from carrying on a legal Trade.

VII.

Seven Members of the Board to reſide at Calcutta; and the other Four to be Chiefs of the Subordinates; or reside at the Aurungs.

THAT Seven Members of the Board ſhall conſtantly reſide at Calcutta; and that the other Four be appointed Chiefs of Subordinates, or to reſide at the Aurungs, as the Board ſhall deem neceſſary; and that the Members of the Board, except the Preſident, ſhall have the Option of ſuch firſt Appointment, according to their Seniority; and, in caſe of future Vacancies at the Subordinates, the next in Seniority of the Members reſident in Calcutta, except the Preſident, ſhall have the Option of ſucceeding to ſuch Vacancy.

VIII.

Board to meet twice every Week, and Five Members to conſtitute ſuch Board.

IT is our Order, that the Board ſhall aſſemble twice in every Week at leaſt; that Five Members, and not a leſs Number, do conſtitute a Board; and that in caſe of Difference of Opinion, a Majority ſhall decide, and, when there happens to be an Equality, the Preſident ſhall have a caſting Vote.

IX.

Orders of the Board to be ſigned by Members preſent; but any Member may enter a Diſſent within Fourteen Days.

THAT all Orders ſhall be ſigned by all the Members preſent; but each Member, who ſhall object thereto, ſhall have a Right, within Fourteen Days, to enter his Diſſent from any Vote or Order of the Board, with the Reaſons thereof, upon Conſultation.

X. THAT,

X.

THAT in caſe of Sickneſs of the Preſident, or of his being unavoidably prevented from attending at any Meeting of the Board, the Senior Member, then preſent, ſhall take the Chair; and the Board ſhall thereupon proceed to Buſineſs.

Senior Member of the Board to take the Chair in the Abſence of the Preſident.

XI.

THAT, if any Member of the ſaid Board, being Chief at a Subordinate Factory, or Reſident at the Aurungs, be, at any time, charged with Corruption, or Oppreſſion, in the Execution of the Truſt repoſed in him, or Diſobedience to the Orders of the Board, you ſummon him to Calcutta, to account for his Conduct; provided in your Opinion ſuch Charge ſhall appear to be well grounded, and of ſufficient Conſequence. And if, upon Enquiry, and hearing his Defence, you ſhall be of Opinion, that he is guilty of ſuch Charge, you ſhall forthwith ſuſpend him from the Execution of his Office, until our Pleaſure ſhall be known.

Chiefs of the Subordinate Factories, and Reſidents at the Aurungs, to be ſuſpended in caſe of Miſdemeanors in their Office.

XII.

IT is our Intention to intruſt to you, the Nomination and Appointment of Subordinate Officers, and Servants in the Department of Commerce; but we direct you not to remove any of our Servants, from any Office that he now holds, in that Department, if ſuch Office ſhall be deemed neceſſary, unleſs for groſs Miſbehaviour in the Execution of his Office; in which Caſe, we empower you to ſuſpend the Perſon offending, till our Pleaſure is known. And, in all future Appointments which you ſhall judge neceſſary, as well as in the Succeſſion to all Vacancies, you ſhall give the Preference to the next in Seniority of our civil Servants, not being at that Time employed in the Collection of our Revenues.

Nomination of Commercial Servants to be in the Board; but the preſent not to be removed without Cauſe; and Seniority to be obſerved.

XIII.

Servants not to be employed both in Commerce and the Collection of the Revenues.

As many Abuſes might ariſe from the ſame Perſon's being employed in the Commerce of the Company, and in the Collection of the Revenues, it is our Order, that none of our Servants ſhall, in any Caſe, hold Employments in thoſe different Departments, at one and the ſame Time: And we direct, that on the Arrival of theſe our Inſtructions, ſuch of our Servants, as may be then employed in both Departments, ſhall immediately reſign ſuch Employment, or Employments, as he holds in the one of thoſe Departments, retaining ſuch Employment, or Employments, as he holds in the other, at his own Option; unleſs ſuch Employment be One of the Four Chiefſhips, or Preſidencies, which we have before reſerved for the Members of your Board.

XIV.

No Servant in a civil Office to be ſuſpended, without being heard in his own Defence; and all Evidence in ſuch Proceedings to be recorded.

It is our Order, that no civil Servant of the Company, in any Rank, or Department whatever, ſhall be ſuſpended from the Office which he holds, for any Offence, or Miſbehaviour, without firſt being heard in his own Defence, and having an Opportunity of vindicating his Conduct. We therefore direct, that, in all Caſes where any Charge ſhall be made againſt any of the Members of your Board, or any Servant in your Department, you forthwith communicate ſuch Charge to him in Writing; and ſummon him to make his Defence, allowing him Twenty Days for that Purpoſe, if he be then at Calcutta; or, if he be at any other Place, a longer Time in Proportion to the Diſtance; and that he ſhall have a public Hearing, before the Board, with ſuch Evidences as he deſires to produce, in the Preſence of the Perſon or Perſons who brought the Accuſation, and of ſuch Witneſſes as may be produced againſt him, who ſhall alſo be examined in his Preſence. And then, and in ſuch Caſe only, you ſhall have a Power (if you find him guilty) to ſuſpend him, till our Pleaſure be known. And we further direct, that all ſuch Charges made before you, againſt any of our Servants, with all

all the Proceedings thereon, ſhall be regularly entered upon your Conſultations, to be tranſmitted to us in the Manner hereinafter directed.

XV.

Inſtitution of the Board of Exchequer.

And whereas, we have thought it proper to conſtitute a Board of Exchequer, for the Purpoſe of receiving, keeping, and iſſuing the Caſh of the Company, under your Orders, and thoſe of the Governor-General, and Council, reſpectively, in the Manner hereinafter directed, we do therefore, hereby conſtitute and appoint the Preſident of your Board, and our Two Senior Civil Servants, next in Succeſſion to your Board, but not Members thereof, to be a Board of Exchequer.

XVI.

Notice to be given to the Two Senior Servants of their Appointment to the Board of Exchequer.

And we direct you, as ſoon as may be after the Receipt of theſe our Inſtructions, to communicate this our Appointment, to the Two Senior Civil Servants next in Succeſſion to your Board, but not Members thereof, together with your Preſident, and alſo a Copy of theſe our Inſtructions.

XVII.

Bonds to be given by the Members of the Board of Commerce of the faithful Execution of their Office.

It is our Order, that the Preſident, and each of the Members of the ſaid Board of Exchequer, ſhall, before he enters on the Execution of his ſaid Office, enter into a Bond to the United Company, in the Penalty of Ten Thouſand Pounds, for the due and faithful Diſcharge thereof; a Condition of which Bond ſhall be, that he ſhall cauſe the Caſh Accounts, in the ſeparate Departments of Revenue and Commerce, to be made up Monthly, according to the Form preſcribed by the Governor-General and Council, and Council of Commerce, reſpectively; and, that he ſhall pay Obedience to all Warrants for iſſuing Money, from either of thoſe Boards, as far as the Caſh in the Exchequer, in their reſpective Departments, will anſwer the ſame. And, in Caſe the ſaid Preſident ſhall refuſe to enter into ſuch Bond, he ſhall

be

be incapable of exerciſing, not only the ſaid Office of Preſident of the Board of Exchequer, but alſo his Office of Preſident of your Board; and the next in Seniority in your Board, who ſhall execute ſuch Bond, ſhall ſucceed to both thoſe Offices; and if either of the other Two Members, of the Board of Exchequer, ſhall refuſe, the next in Seniority of our Servants, not being a Member of your Board, who ſhall execute ſuch Bond, ſhall ſucceed to his Place at the ſaid Board of Exchequer; and we hereby declare, that ſuch Servants, ſo refuſing, ſhall be incapable of Riſing in our Service.

XVIII.

Bonds from the Members of the Board of Exchequer to be lodged with the Governor-General and Council, and Counterparts with the Council of Commerce.

And we direct all ſuch Bonds to be lodged with the Governor-General and Council, and Counterparts with you.

XIX.

Salaries of the Preſident and Members of the Board of Commerce.

The Preſident, and each of the Members of our Board of Exchequer, ſhall have a Salary of 1500£. Sterling, per Annum, by Quarterly Payments; which Sum is to be in lieu of Commiſſion upon the Revenues, and in full for Diet Money, and every other Emolument, except ſuch Advantages as may ariſe from carrying on a legal Trade; and alſo ſuch as the Preſident is further entitled to, as Preſident of the Council of Commerce.

XX.

Money to be paid into the Board of Exchequer.

We direct our Board of Exchequer to receive and iſſue, under Warrants ſigned by you, ſuch Monies as ariſe in any way from the Company's Trade or Commerce, and it is our Order, that you pay, or cauſe to be paid into the ſaid Board, all ſuch Money as ſhall come into your Hands, or the Hands of thoſe appointed under you, ariſing from the Company's Trade or Commerce, as aforeſaid, as ſoon as poſſible, after you or they ſhall have received the ſame; and that, in no Caſe, you apply any of our Money to any

Purpoſe

Purpoſe whatſoever, without firſt paying the ſame into our ſaid Board of Exchequer.

XXI.

Iſſue of Money from the Exchequer.

HAVING ordered the Money in our Treaſury, at the Time of the Arrival of theſe Inſtructions, to be paid over to our Board of Exchequer, it is our Pleaſure that One Half thereof ſhall be in the Diſpoſal of the Governor-General and Council, and the other under that of the Council of Commerce, for the immediate Currency in each Department, to be iſſued under Warrants from them reſpectively, in the Manner hereinafter directed. And that the Money paid into the Exchequer, by or under the Orders of the Governor-General and Council, and the Money paid in by you, or under your Orders, ſhall be kept ſeparate, and diſtinct, and our Board of Exchequer ſhall not iſſue any of ſuch Money, without Warrant ſigned by the Preſident, and the major Part of the Members of thoſe Boards reſpectively, by whom, or under whoſe Orders the ſame was paid in; which Warrants ſhall ſpecify the Perſon, or Perſons, to whom the Sum expreſſed therein is to be paid, and the Purpoſe to which it ſhall be applied; and our ſaid Board of Exchequer ſhall alſo, on Payment of every ſuch Sum, take a Receipt in Writing, in Books to be kept for that Purpoſe, ſigned by the Perſon or Perſons who ſhall receive the ſame.

XXII.

Caſh to be controlled Monthly.

THE Caſh, in each of the Two ſeparate Departments, of Commerce and Revenue, ſhall be kept under Three Locks; and the Balance remaining in each ſhall be viewed Monthly, by one Perſon deputed from each of our Two principal Boards, that is to ſay, the Governor-General and Council, and Council of Commerce, and compared with the Balance of the Caſh Accounts, which ſhall be made up Monthly by our Exchequer, in the ſeparate Departments aforeſaid, according to the Form to be preſcribed by you, and the Governor-General and Council reſpectively; and Duplicates of ſuch

Accounts, and alſo of all Warrants and Receipts, ſhall be tranſmitted to us by the earlieſt Opportunity.

XXIII.

Audit of Accounts in the Exchequer.

IT is our Pleaſure, that the Accounts of all Money received and iſſued by our Exchequer, ſhall be audited and paſſed Quarterly, both by you, and the Governor-General and Council, in order to be tranſmitted to us for our final Determination.

XXIV.

Separate Accounts to be made out Monthly in each Department of the Exchequer.

WE therefore direct our Board of Exchequer, to prepare ſeparate Accounts, of the Monies received and iſſued in each Department, and Quarterly to lay before you, the Accounts reſpecting your Department, and before the Governor-General and Council, the Accounts reſpecting theirs.

XXV.

Accounts not to be paſſed till after due Examination.

AND we direct you, as ſoon as you have carefully examined, and paſſed the Accounts in your Department, to lay the ſame before the Governor-General and Council; and when the Accounts, in the Department of the Governor-General and Council, are laid before you, that you examine them, and paſs them, if you find them right; but, if you find any juſt or material Cauſe of Objection, that you refuſe to paſs the ſame, till they are cleared up to your Satisfaction; and in all Caſes of ſuch Refuſal, that you communicate the ſame, with the Reaſons thereof, to us.

XXVI.

Board of Exchequer to have Power of ſuſpending Orders for the Iſſue of Mo-

ALTHOUGH the Board of Exchequer is to have no Share in the Ordering, Management, or Application of any Part of the Money in their Hands, further than the receiving, keeping, and iſſuing the ſame, in the Manner we have

have directed, yet, we think it expedient to give, and do hereby give them, a Right to make Repreſentations, againſt any Order for iſſuing Money, either from you, or the Governor-General and Council, which ſhall appear to them prejudicial to our Intereſts, within Twenty-four Hours after the Receipt of ſuch Order; and, of ſuſpending the Execution thereof, till the further Pleaſure of the Board from whence it iſſued ſhall be known; but if ſuch Order ſhall, after Repreſentation, be confirmed, by the Board from whence it ſo iſſued, the Board of Exchequer ſhall obey the ſame, without further Delay.

ney; and repreſenting the Reaſons thereof.

XXVII.

THAT, for all ſuch Sums as you ſhall want, for the Purpoſes of our Trade, or Inveſtments, you ſhall iſſue Warrants to the Board of Exchequer, ſigned by the Members preſent at the Board, when ſuch Sums ſhall be deemed neceſſary; and that ſuch Warrants ſhall ſpecify the Perſons, to whom ſuch Sums ſhall be paid, and the Purpoſes to which the ſame are to be applied; which Warrants, we direct our ſaid Board of Exchequer to pay Obedience to, as far as the Money in their Hands, paid in by you, or under your Orders, will anſwer the ſame. And, whenever it ſhall happen, that more Money is wanted by you, for the Purpoſes aforeſaid, than remains at that Time in our Exchequer, of what has been ſo paid in by you, or under your Order, you ſhall, in all ſuch Caſes, make Requiſition in like Manner, under your Hands, to the Governor-General and Council, for ſuch Sums as ſhall be ſo wanted, ſpecifying the Sums, and the Purpoſes to which they are to be applied; which Requiſition we have directed them to comply with, and iſſue Warrants payable to you, as far as the Surplus, then in our Exchequer, of Money ariſing from the Revenues, or otherwiſe, in the Department of the Governor-General and Council, over and above the neceſſary Diſburſements of Government will anſwer the ſame.

Warrants for Money to be iſſued for the Purpoſes of Trade from the Exchequer.

XXVIII.

AND, whereas we have empowered the Governor-General and Council, in Caſes of great Emergency only, to borrow ſuch Sums as may be abſolutely

Money to be borrowed in Caſes of Emergency

by the Governor-General, with the Consent of the Board of Commerce.

lutely neceſſary, for the Safety of our Settlements, and Proſperity of our Trade, with your Privity and Conſent; we direct you, to pay immediate Attention to any ſuch Propoſals from them, and, if the Loan ſhall appear to you to be neceſſary, that you ſhall forthwith give your Conſent thereto, and counterſign the Order of the Governor-General and Council to our Board of Exchequer, to make out Notes, or Bonds, for the Purpoſe of procuring the Loan.

XXIX.

Bonds to be iſſued from the Board of Exchequer for Money borrowed.

We direct, and empower our Board of Exchequer, as ſoon as may be, after the Receipt of ſuch Order from the Governor-General and Council, ſo counterſigned by you, to make out Notes, or Bonds, under the Company's Seal, for the Payment of the Sum of Money expreſſed in ſuch Order; which Notes or Bonds ſhall not be iſſued by our ſaid Board of Exchequer, without receiving the Sum or Sums of Money expreſſed therein, except when it ſhall be neceſſary to iſſue them, or any of them, in Payment, inſtead of Caſh; in which Caſe they ſhall be iſſued under Warrants ſigned by the Governor-General and Council, ſpecifying the Perſons to whom they are to be paid, and the Purpoſes to which they are to be applied, and taking Receipts for the ſame, in like Manner as we have directed our Money, in their Department, to be iſſued, and not otherwiſe; and, as a Security that no Notes, or Bonds, ſhall be iſſued on the Company's Account, without ſuch Order as aforeſaid, we direct that every ſuch Note, or Bond, to render it valid, ſhall, before it be iſſued, be ſigned both by your Secretary, and the Secretary of the Governor-General and Council.

XXX.

Council of Commerce may refuſe their Conſent to borrowing Money, ſignifying their Reaſons.

But, in caſe any Loan ſhall appear to you to be unneceſſary, or contrary to our Intereſts, it is our Pleaſure, that you refuſe to counterſign the Order for the ſame; and that you immediately ſignify your Reaſons, at large, to the Governor-General and Council, and to us by the firſt Opportunity.

XXXI. We

XXXI.

We direct, that all the Books and Papers relative to our Bond-Debt, or Intereſt-Notes, ſhall be in the Cuſtody of our Board of Exchequer; and that the Adjuſtment of all Accounts, upon your Bonds, and Intereſt-Notes, ſhall be made up by them Monthly, and laid before the Governor-General and Council; and alſo before the Council of Commerce; and that the Money to be paid for Intereſt on the ſaid Bonds, or Notes, ſhall be iſſued by Warrants from the Governor-General and Council, counterſigned and approved by the Council of Commerce.

Books and Papers relative to the Bond-Debt, and Intereſt-Notes, to be kept in the Exchequer: Accounts reſpecting them to be made up Monthly; and Intereſt to be paid by Warrants from the Governor-General and Council, counterſigned by the Council of Commerce.

XXXII.

As the Reduction of our Debt, by Bond or Intereſt Notes, in Bengal, is of the utmoſt Conſequence to our Proſperity, we have recommended to the Governor-General and Council, an earneſt Attention to this Object; and we hereby declare to you, that we ſhall prefer this Service, to any extraordinary Encreaſe of our Inveſtments.

Reduction of Debt by Bond and Intereſt Notes recommended.

XXXIII.

We direct, that all Bills, drawn from our other Preſidencies, or Requiſitions for Money, on our Preſidency of Bengal, ſhall, before Acceptance of the Bills, or Compliance with the Requiſition, be laid before you, and that you deliver your Sentiments in Writing thereon to the Governor-General and Council, with whom nevertheleſs the final Determination ſhall reſt.

Bills not to be accepted till laid before the Council of Commerce.

XXXIV.

Certificates to Captains or Officers of Ships, or Bills on the Directors, to be given by the Council of Commerce.

ALL Certificates to Captains or Officers of Ships, or Bills on the Court of Directors, ſhall be given by our Council of Commerce.

XXXV.

Houſes not to be provided by the Company for their Servants.

As the Company is poſſeſſed of various Dwelling-Houſes in Calcutta, and its Neighbourhood; and the Wiſdom of the Legiſlature having, by the late Act, thought proper to affix very high Salaries, for the Governor-General and Council, in lieu of all Emoluments whatſoever, we direct that Rents be fixed upon all ſuch Houſes; and that the Expence of Repairing them be defrayed by the Perſon, or Perſons, who ſhall occupy the ſame: But, in Conſideration of our Reſpect for Warren Haſtings, Eſq; our own late Governor, we direct, that he ſhall enjoy our principal Houſe, together with the Plate and Furniture, both in Town and Country, Rent-free; and that our Preſident of the Council of Commerce ſhall, in like Manner, have his Choice of the next beſt Houſe belonging to the Company, without the Payment of any Rent.

XXXVI.

Conſignments of Ships, &c. to be made to the Council of Commerce.

IT is our Intention, that all Conſignments of Ships, Goods, and Merchandize, ſhall be made directly to you; and we direct you, as ſoon as conveniently may be, to deliver to the Governor-General and Council, or ſuch Perſon or Perſons as they ſhall appoint to take Charge of the ſame, ſuch Parts of the Cargoes as conſiſt of Military Stores, or other Matters not belonging to the Department of Commerce. And, in diſpoſing of the Remainder of the Cargoes, and procuring the Inveſtments of the Company, and all other Matters reſpecting our Trade and Commerce, you ſhall ſtrictly attend to all ſuch Orders and Inſtructions, as the Court of Directors have tranſmitted to the Governor and Council, or Select Committee

of

of the ſaid Preſidency, in anywiſe relating to your Department, as well as to ſuch further Orders as you ſhall receive from us.

XXXVII.

Ships to be aſſigned for Military Service in caſe of Emergencies.

And whereas it may be neceſſary, on particular Emergencies, that ſome of the Company's Ships ſhould be employed in Military Service, or otherwiſe, for the Security and Protection of our Settlements; and we have directed the Governor-General and Council, in ſuch Caſes, to make Requiſition to you, in Writing ſigned by them, ſpecifying the Number of Ships wanted, and for what kind of Service: We direct you forthwith, in purſuance of ſuch Requiſition, to aſſign ſuch Ships as ſhall be fit for that Service, and can beſt be ſpared from the Purpoſes of our Trade.

XXXVIII.

Application for Aſſiſtance for the Recovery of out-ſtanding Debts.

As it has frequently happened, in our Intercourſe with the native Manufacturers of Bengal, that by Reaſon of Advances made to them at the Beginning, they have been largely indebted to us at the Cloſe of the Seaſon, we direct you, in all Caſes, where the aſſiſtance of the Power of Government ſhall appear to be neceſſary for obtaining Payment of our out-ſtanding Debts, to apply to the Governor-General and Council for that Purpoſe, who have our Orders to give every Aſſiſtance, conſiſtent with the Rules of Juſtice.

XXXIX.

Proceedings of the Board of Commerce not to be kept ſecret from the Governor-General and Council, but to be open for their Inſpection Eight Days Quarterly.

Although we have thought it neceſſary, for ſecuring the Intereſts and Privileges of the Company, to conſtitute and appoint you a Board, independent of the diſcretionary Powers of the Governor-General and Council; yet it is not our Intention that your Proceedings ſhould be ſo ſecret, as to prevent the Obſervations and Remarks, which the Governor-General and Council may make on your Conduct, for our Information, or the ordering ſuch Proſecutions, in the Courts of Law, as may be neceſſary for the Puniſhment of Delinquents:

Delinquents:—We therefore direct, that Four Times in every Year, on the First Days of March, June, September, and December respectively, all your Books, Correspondence, Accounts, and Proceedings, shall be deposited in your Office, with some proper Person, or Persons, to attend the same, and shall there, for Eight Days at each Time, be open to the Inspection, and Examination of the Governor-General, or any of the Members of the Council, who may require an Explanation, in Writing, of any Matters which may appear doubtful or obscure.

XL.

Books of the Governor-General and Council to lie open for Eight Days Quarterly, to the Examination of the Board of Commerce: and Misdemeanors in their Conduct to be represented to the Directors.

And having in like Manner directed, that all Books of Accounts, or Books respecting the Collection and Management of the Revenues, or the Disbursements on Fortifications, or in any Department of Government, Civil or Military, under the Governor-General and Council, shall be deposited in like Manner, in their Office, on the First Days of April, July, October, and January respectively; and shall there lie open to the Inspection and Examination of the President, or any of the Members of your Board, for Eight Days at each Time, and that you may, in like Manner, require an Explanation, in Writing, of any Matters therein; We direct you diligently to inspect the same; and that you communicate to us, such Observations, as may occur to you thereon, and particularly, if you should observe any Misconduct therein, that you immediately endeavour to procure, and transmit to us, the Proofs necessary to authenticate the Charge, so as to enable us to make proper Representations to his Majesty, against the Governor-General, or any of the Members of the Council, if the Nature of the Business shall appear to us to require so strong a Measure. And that your Observations arising from this Inspection, or in any other Way, on the Conduct of the Governor-General and Council, may be free from all Restraint, it is our Pleasure, that all such Observations, and also Copies of all Letters, received or sent relating to that Subject, shall be entered in separate Books, which shall not, by any Thing in this Instruction, or on any other Account, be liable to the Inspection of the Governor-General, or any Member of the Council. But it is not our Intention to prevent you from communicating

municating ſuch Parts of the ſame, as you ſhall think proper, if you ſhould make any Repreſentations to them, on the Subject of their Conduct.

XLI.

As the ſaid Act of Parliament has expreſsly prohibited the Governor-General and Council, and the Chief Juſtice, and Judges, from carrying on any Manner of Trade, or receiving any Preſents, yet has exempted them from the Cognizance of the Supreme Court of Judicature; we think it incumbent upon us, to enjoin you ſtrictly to obſerve their Conduct, and, in Caſe of their acting in any way contrary to the Injunctions of the ſaid Act, we require you, with ſuch Aſſiſtance as you can procure, from Men converſant in the Law, to tranſmit to us an early and accurate Information thereof, authenticated by the beſt Evidence, to the End that they may, if poſſible, be brought to Trial and Puniſhment in the Courts at Weſtminſter.

Repreſentations of Miſdemeanors of the Governor General and Council to be tranſmitted to the Directors with Evidence.

XLII.

In tranſacting the Buſineſs of your Department, it is our Order, that you enter with the utmoſt Perſpicuity, and Exactneſs, upon Conſultations, or Minutes of Council, all your Proceedings whatſoever, and all Diſſents, if ſuch ſhould at any Time be made, by any Member of your Board, together with all Letters received, and ſent in the Courſe of your Correſpondence, and that broken Sets of all ſuch Proceedings, to the lateſt Period poſſible, be tranſmitted to us by every Ship,—a compleat Set at the End of every Year, and a Duplicate by the next Conveyance.

Minutes of Council to be duly tranſmitted to the Directors.

COUNSEL's OPINION.

YOUR Opinions are desired, Whether these Instructions, as amended, are legal, and consistent with the Provisions of the Act of Parliament of the 13th of His present Majesty, Ch. 63.

WE are of Opinion, these Instructions, as amended, are legal, and consistent, with the Provisions of the Act of Parliament of the 13th of His present Majesty, Ch. 63.

Signed

Ja. Wallace.
Rd. Jackson.
J. Skynner.
J. Dunning.
C. Sayer.

14th January, 1774.

N. 459.

INSTRUCTIONS

FOR THE

GOVERNOR-GENERAL

And COUNCIL of BENGAL;

AND FOR THE

COUNCIL of COMMERCE;

With Directions *for the* Inſtitution *of a*

BOARD of EXCHEQUER;

DRAWN

By the COMMITTEE of PROPRIETORS of the United Company of Merchants of *England*, Trading to the EAST-INDIES, appointed for ſuch Purpoſe:

Together with the Opinion of Counſel, as to the Legality of the ſaid Inſtructions.

East Indies E. I. Co
N

N. 459.